

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 12/2023)

FILED

JUL 22 2025

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY T. J. [Signature]  
DEPUTY CLERK

Lee E. Collins #896770  
Plaintiff's Name and ID Number

Bexar County Adult Detention Center  
Place of Confinement

SA25CA0873 JKP  
CASE NO. \_\_\_\_\_  
(Clerk will assign the number)

<sup>v</sup> City of San Antonio  
~~R Bexar County~~ 315 S. Santa Rosa, San Antonio, TX 78207  
Defendant's Name and Address

Starbucks, San Pedro Cypress, San Antonio, TX 78212  
Defendant's Name and Address

\_\_\_\_\_  
Defendant's Name and Address  
(DO NOT USE "ET AL.")

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INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

**FILING FEE AND IN FORMA PAUPERIS (IFP)**

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$55.00 for a total fee of **\$405.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$55.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

**CHANGE OF ADDRESS**

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

**I. PREVIOUS LAWSUITS:**

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ☒ YES ☐ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
  1. Approximate date of filing lawsuit: Around October or November, 2021
  2. Parties to previous lawsuit:
 

Plaintiff(s) Lee Collins

Defendant(s) Bexar County
  3. Court: (If federal, name the district; if state, name the county.) Western District of Texas
  4. Cause number: SA-21-CV-01182XR
  5. Name of judge to whom case was assigned: Xavier Rodriguez
  6. Disposition: (Was the case dismissed, appealed, still pending?) Dismissed
  7. Approximate date of disposition: I believe November, 2021

II. PLACE OF PRESENT CONFINEMENT: Bexar County Adult Detention Center

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: LEE F. COLLINS, 200 N. Comal, San Antonio

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Deputy A. Urias, badge #10043, District: 3220, Agency: San Antonio Police, Department, 315 S. Santa Rosa, San Antonio, TX 78207

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

02/25/25 initially, Plaintiff was arrested for Public Intoxication. That (continued)

Defendant #2: S.A.P.D., 315 S. Santa Rosa, San Antonio, TX 78207

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

02/25/25, Plaintiff was arrested for Public Intoxication; was not a danger to self or others.

Defendant #3: S.A.P.D., 315 S. Santa Rosa, San Antonio, TX 78207

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

12/14/24, Plaintiff was arrested for Public Intoxication & Criminal Trespassing. (continued)

Defendant #4: Starbucks, San Pedro Cypress, San Antonio, TX 78212; S.A.P.D.; 315 S. Santa Rosa, San Antonio, TX 78207

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

04/19/24, While at the outside, Starbucks Peckham let Plaintiff go. (continued)

Defendant #5: N/A

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

N/A

## V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

(7) On 7/15/25 Plaintiff was walking that night along the sidewalk on Highland Oaks after purchasing a pint of Vodka from the liquor store. <sup>SC</sup> S.A.P.D. approached Plaintiff and officer stopped Plaintiff he was responding to an allegation that Plaintiff was walking in the street. Plaintiff was not in the street when officer stopped Plaintiff and neither was Plaintiff a danger to himself or others. Officer noticed liquor bottle in Plaintiff's hand and arrested Plaintiff for public intoxication, initially. However, once deputy verified Plaintiff's identity and discovered warrant for Plaintiff's arrest, Plaintiff was immediately arrested under warrant. (While at the magistrate, (continued)

## VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I want to be repaid for the damages suffered by defendants. I make for punitive damages against defendants and to be monetarily compensated, \$100,000.00 for the <sup>SC</sup> malicious pattern of vindictive, malicious intent due to arrests stemming from 12/14/24 re Present. Also to be compensated, (continued)

## VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

LEE EDWARD COLLINS JR.

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

N/A

## VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): N/A

2. Case number: N/A

3. Approximate date sanctions were imposed: N/A

4. Have the sanctions been lifted or otherwise satisfied? N/A YES NO



C. Has any court ever warned or notified you that sanctions could be imposed? \_\_\_\_\_ YES ✓ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): \_\_\_\_\_
2. Case number: \_\_\_\_\_
3. Approximate date warning was issued: \_\_\_\_\_ N/A

Executed on: 07/21/25  
DATE

Lee Collins  
(Signature of Plaintiff)

### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 21<sup>st</sup> day of JULY, 2025.  
(Day) (month) (year)

Lee Collins  
(Signature of Plaintiff)

**WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.**

#10f2

**DEFENDANT #1:** (continued) That night, Plaintiff was walking along the side walk on Thousand Oaks, heading to the Circle K, convenient store on Thousand Oaks and Wetmore. Plaintiff had left from the Liquor Store after purchasing a Pint of Valia. While walking, S.A.P.D. vehicle approaches Plaintiff and officer stops Plaintiff and informs Plaintiff he was responding to an allegation that Plaintiff was walking in the street. When officer approached, Plaintiff, Plaintiff was walking along the sidewalk. Officer observed the ~~brown~~<sup>2C</sup> liquor bottle in Plaintiff's hand and arrested Plaintiff initially for public intoxication. However, once officer verified Plaintiff's identity and discovered warrant for his arrest, Plaintiff was immediately arrested under warrant. While at the magistrate, Plaintiff was given no breathalyzer test to determine his level of intoxication. Plaintiff was not a danger to himself or others to be initially arrested for public intoxication.

**DEFENDANT #3:** 01/15/25, after 32 days of being confined in the Sheriff's custody, the case against Plaintiff was DISMISSED.

**DEFENDANT #4:** (continued) Plaintiff and a customer were engaged in a verbal altercation when, customer pulled a pistol or exhibited a pistol, a deadly weapon, that in the manner of its use and intended use was capable of causing death and serious bodily injury, and the defendant did intentionally and knowingly threaten imminent bodily injury to Plaintiff by pointing ~~at~~<sup>2C</sup> said deadly weapon at Plaintiff. Situation was seen by several customers outside that day. S.A.P.D. arrived, no charges were filed against defendant and Plaintiff was given a criminal trespassing warning not to return to Starbucks location.

**STATEMENT OF CLAIM:** (continued) Plaintiff was not given a breathalyzer test to determine his level of intoxication. 02/15/25, (173)-2nd related incident, Plaintiff was walking along Thousand Oaks, ~~2C~~<sup>2C</sup> pushing a shopping cart after purchasing, (2) fifths of Paul Masson liquor from the liquor store. S.A.P.D. ~~vehicle~~<sup>vehicle</sup> approached and stopped Plaintiff and

Arrested him for Public Intoxication. Plaintiff was not a danger to himself or others. 12/14/24,

Officer observed Plaintiff dancing on the sidewalk on Thousand Oaks while driving. 1/9/25  
Officer arrested Plaintiff for Public Intoxication and Criminal Trespassing. Plaintiff  
was not a danger to himself or others and neither was Plaintiff on private property  
when arrested for Public Intoxication and Criminal Trespassing. 01/15/25, after being  
wrongfully confined in the Sheriff's custody for 32 days, the case was DISMISSED.

Bethany Sparks (attorney) was Plaintiff's court appointed counsel. Just <sup>at</sup> ~~that~~ these (3) incidents -  
arrests that took place all on Thousand Oaks shows a pattern of malicious intent  
<sup>as</sup> ~~and~~ and vendetta of municipality, stemming from Plaintiff's lawful arrest and  
incarceration, 12/14/24. 04/19/24 Plaintiff and Starbucks customer were engaged in a  
verbal altercation outside on the parking lot. Defendant exhibited a deadly weapon, that  
in the manner of its use and intended use was capable of causing death and serious, bodily  
injury, and the defendant did intentionally and knowingly threaten imminent bodily injury to Plaintiff  
by pointing deadly weapon, namely a pistol at Plaintiff. Situation was witnessed by several  
customers outside that day. S.A.P.D. arrived and witness informed officer that defendant  
pointed his pistol at <sup>at</sup> ~~defendant~~ Plaintiff. No arrest or charges were filed against  
defendant. Plaintiff was given a criminal trespassing warning not to return to that  
Starbucks location. <sup>as</sup> ~~Equal Protection of the law guaranteed by the 14th Amendment~~ Due Process and  
Equal Protection of the Law provided and guaranteed by the 14th Amendment to the  
U.S. Constitution was denied Plaintiff.

VI. RELIEF: (continued) monetarily for the 32 days, (12/14/24 - 01/15/25) I spent  
incarcerated unlawfully and to be monetarily compensated for the time I'm incarcerated  
now for my initial arrest of Public Intoxication (02/25/25) when I was not  
a danger to myself and others and due to the fact I was never given a  
Breathalyzer test to determine my level of intoxication which disproves  
the allegation of Public Intoxication being the cause of my initial arrest.